


Rule 1009-1. Amendments of Petitions, Lists, Schedules, and Statements.

(A) Amendment to Petition.

- (1) Debtor's Name.** Petitions shall not be amended to change the name of the debtor, or delete the name of a joint debtor, except upon court order. Petitions shall not be amended to add the name of a joint debtor, but rather a separate petition must be filed.
- (2) Social Security Number.**
 - (a) Amendments Prior to Entry of Discharge.** Requests for changes in debtor's social security numbers which are presented for filing prior to entry of a "Discharge of Debtor", and prior to the administrative closing of the case shall be processed by the clerk if such requests are presented in the form of a verified amended petition (declaration must be signed by the debtor, not attorney for debtor), accompanied by a certificate of service on all parties of record.
 - (b) Amendments Subsequent to Entry of Discharge.** A request for a change in a debtor's social security number presented for filing subsequent to entry of a discharge of debt or the administrative closing of the case shall only be considered by the court upon the filing of a motion, accompanied by a verified amended petition (declaration must be signed by the debtor, not attorney for debtor), a Local Form "Notice of Hearing", and a certificate of service on all parties of record. The motion shall indicate whether an amended discharge is requested. If the case has been administratively closed, the request must also be accompanied by a "Motion to Reopen Case to Correct Social Security Number" and must be accompanied by the applicable re-opening fee. Amendments to a debtor's social security number shall not be effected in the court records and amended discharges shall not be issued absent entry of an order of the court directing such changes.
 - (c) Amendments to Correct Clerk's Scrivener's Error.** The clerk shall, without court order, correct any scrivener's error by the clerk occurring during entry of debtor information into the court's records and serve notice of the correction on all parties of record.

 2002 Amendment: Amended to incorporate provisions of AO 99-1 setting forth procedures for requests for amendments to social security numbers.

(B) Number; Form. Amended lists, schedules or statements filed pursuant to Bankruptcy Rule 1009 must be accompanied by the appropriate number of copies set forth in the "Clerk's Filing Instructions" and conform to the form requirements of Local Rules 5005-3, 5005-4, 9004-1, 9004-2,

and 9011-4.

(C) Local Form “Debtor’s Notice of Compliance with Requirements for Amending Creditor Information” and Official Form “Declaration Concerning Debtor’s Schedules” Required: As set forth in the “Clerk’s Instructions to Debtor for Submission of Initial Creditor Service Matrix and Requirements for Submitting Subsequent Amendments” the Local Form “Debtor’s Notice of Compliance with Requirements for Amending Creditor Information” and the Official Form “Declaration Concerning Debtor’s Schedules” shall accompany any paper required by Bankruptcy Rule 1007 or 1009 and filed after the initial creditor service matrix. If schedules or lists are amended to add or modify a creditor’s name or address a copy of the notice of the § 341 meeting of creditors (or any amended notice) shall be served on all affected parties, even if the meeting has already been held.

 2002 Amendment: Amended to reflect revised clerk’s instructions and revised local form.

(D) Each Debtor to Sign. Amendments of the summary of assets and liabilities, schedules, statement of income and expenses, lists, statement of financial affairs, or statement of intent shall be signed by each debtor pursuant to Bankruptcy Rule 1008 and subdivision (C) of this rule.

(E) Amendment of Claimed Exemptions. The debtor shall serve notice of all amendments to the schedule of property claimed as exempt as provided in Local Rule 4003-1.

(F) Deadline for Amendments in Unconfirmed Chapter 13 Cases. Amended schedules and statements in a chapter 13 case which are necessary for confirmation must be filed no later than 10 days prior to the confirmation hearing. Copies of amended schedules and statements shall also be served on the chapter 13 trustee no later than 10 days prior to the scheduled confirmation hearing. Except for the service on the chapter 13 trustee, copies of amended schedules and statements must be served as provided by subdivision (C) of this rule.

[Comment: See also Local Rules 5005-1(F)(1) and (F)(3) (Two-day submission requirement on responses to motions and emergency filing procedures do not apply).]